

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6548

BILL NUMBER: SB 262

NOTE PREPARED: Dec 22, 2012

BILL AMENDED:

SUBJECT: Retail Sales of Tannerite.

FIRST AUTHOR: Sen. Merritt

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill regulates the retail sale of Tannerite, a patented ammonium nitrate and aluminum powder-based binary explosive used primarily as a target for firearms practice. It provides that a retailer:

1. Must secure Tannerite behind a counter or in a locked display case so that Tannerite is unavailable to a customer without the assistance of the retailer or an employee of the retailer;
2. May not sell Tannerite to a customer who is less than 18 years of age; and
3. Must verify the age of a customer who wishes to purchase Tannerite by requiring the customer to produce a valid government-issued photographic identification card that shows the date of birth of the customer.

The bill makes it a Class C infraction for a person to violate the law concerning the retail sale of Tannerite.

Effective Date: July 1, 2013.

Explanation of State Expenditures:

Explanation of State Revenues: If additional court cases occur and infraction judgments and court fees are collected, revenue to the state General Fund may increase. The maximum judgment for a Class C infraction is \$500, which is deposited in the state General Fund. It is unknown how many convictions might occur.

If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city

or town court. In addition, some or all of the automated record keeping fee (\$5), judicial salaries fee (\$20), public defense administration fee (\$5), court administration fee (\$5), judicial insurance adjustment fee (\$1), and the DNA sample processing fee (\$2) are deposited into the state General Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Persons found guilty of a felony or misdemeanor are also required to pay the following fees that are deposited in local funds: the document storage fee (\$2), which is deposited into the clerk record perpetuation fund, and the jury fee (\$2) and law enforcement continuing education fee (\$4), which are both deposited in the county user fee fund.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

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